NIT-341-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior Application: M. FUKUDA et al

Serial No. 10/180,536 Filed: June 27, 2002 Group Art Unit: 2881 Examiner: E. Gill 31355 U.S. PTO 10/773330

FOR CHARGED PARTICLE BEAM USING THE SAME

REQUEST FOR CONTINUATION APPLICATION UNDER 37 C.F.R. 1.53(b)

Commissioner for Patents Alexandria, VA 22313

Sir:

This is a request for filing a continuation application under 37 C.F.R. 1.53(b) of pending prior application Serial No. 10/180,536, filed on June 27, 2002, entitled METHOD OF PREVENTING CHARGING, AND APPARATUS FOR CHARGED PARTICLE BEAM USING THE SAME, by the inventors named in the prior application.

- Enclosed is a copy of the prior application, including the Declaration as originally filed.
 - 2. The Filing Fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION

LESS ANY CLAIMS CANCELED BY AMENDMENT BELOW

PLUS ANY CLAIMS ADDED BY ACCOMPANYING PRELIMINARY AMENDMENT

Basic Fee \$770.00Total Claims $9 - 20 = 0 \times 18 = $.00$ Independent Claims $6 - 3 = 3 \times 86 = 258.00 Total Filing Fee \$1028.00

- 3. A Credit Card Payment Form in the amount of \$1028.00 is enclosed to cover the Filing Fee.
- 4. Cancel claims 3-10 and 13 without prejudice or disclaimer before calculating the Filing Fee. A Preliminary Amendment is submitted herewith.
- 5. The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment, to Deposit Account No. 50-1417. A duplicate copy of this Request is enclosed for this purpose.
- 6. Amend the specification by inserting, before the first line:

This is a continuation application of U.S. Serial No. 10/180,536, filed June 27, 2002.

- 7. New drawings are enclosed, fifteen (15) sheets, Figs. 1-17b.
- 8. The power of attorney is set forth in the Declaration in the prior application or an associate power of attorney is hereby granted to:

Jeffrey M. Ketchum, Registration No. 31,174 Shrinath Malur, Registration No. 34,663 John R. Mattingly, Registration No. 30,293 Daniel J. Stanger, Registration No. 32,846 Gene W. Stockman, Registration No. 21,021.

There is a change in the correspondence address.

Address all future correspondence to:

MATTINGLY, STANGER & MALUR, P.C. 1800 Diagonal Road, Suite 370 Alexandria, Virginia 22314 (703) 684-1120

Please associate this application with Customer No. 24956.

- 9. The prior application is assigned to Hitachi, Ltd.
- 10. Priority of the following Japanese patent application is claimed under 35 U.S.C. § 119:

No. 2001-349723, filed November 15, 2001.

The certified priority document has been filed in the prior application.

The undersigned hereby declares that no matter contained in the specification, including the claims, and drawings filed in the present continuation application would have been new matter in the prior application Serial No. 10/180,536, as originally filed on June 27, 2002.

Respectfully submitted,

John R. Mattingly

Registration No. 90,293

Attorney of Record

MATTINGLY, STANGER & MALUR 1800 Diagonal Road, Suite 370 Alexandria, Virginia 22314 (703) 684-1120 Date: February 9, 2004